



MINUTES
REGULAR CITY COUNCIL MEETING
FEBRUARY 4, 2008 AT 6:00 P.M.
CITY HALL, 116 FIRST STREET
NEPTUNE BEACH, FLORIDA

Pursuant to proper notice a Regular Meeting of the City Council of the City of Neptune Beach was held February 4, 2008 at 6:00 p.m., in the City Hall Council Chambers, 116 First Street, Neptune Beach, Florida.

Attendance

IN ATTENDANCE:

Mayor Richard A. Brown
 Vice Mayor Harriet Pruette
 Councilor Fred Lee
 Councilor Eric Pardee
 Councilor John Weldon
 City Manager Jim Jarboe
 City Clerk Lisa Volpe, CMC

STAFF:

Community Development Director Amanda Askew
 Senior Activities Center Director Leslie Lyne
 Director of Finance Steve Ramsey
 Director of Public Safety David Sembach
 Director of Public Services Leon Smith

Absent:

City Attorney Christopher White

Order Call/Pledge

Mayor Brown called the meeting to order at 6:00 p.m. and asked Councilor Pardee to lead the pledge of allegiance.

AWARDS / PRESENTATIONS / RECOGNITION OF GUESTS

Mayor Brown presented a Proclamation to Mr. Anthony Mazzola recognizing his seven years of service on the Planning & Development Review Board.

Fletcher Band
Donation

FLETCHER HIGH SCHOOL BAND DONATION: Councilor Pardee brought forth the request by Fletcher High School Band for a donation to help support them on a trip to Washington, D.C. to participate in the Independence Day Parade on July 4th. He suggested a donation of \$3000.

The following citizens spoke in favor of the Fletcher High School Band donation:

- Cindy Bohn, 49 Tallwood Road, Jacksonville Beach
- Melissa Altaxin, 14019 Beach Boulevard, Jacksonville
- Jean Furst, 3018 Farrington Street, Jacksonville
- Anna Forest, 1659 Leeward Lane, Neptune Beach
- Jonathan Maerkl, Fletcher High School Band Director, 700 Seagate Avenue
- Karl Hankin, 717 Valley Forge Road, Neptune Beach

Moved by Pardee, seconded by Lee.

Motion: **TO APPROVE A \$3,000 DONATION TO SUPPORT THE FLETCHER HIGH SCHOOL BAND.**

Councilor Weldon questioned the amount of money available in the discretionary fund. City Manager Jarboe replied \$3,700 remained after the \$5,000 "HOPE" van donation.

Councilor Weldon recommended a \$1,500 donation. Vice Mayor Pruetto stated she could also support \$1,500 as given in the past. Councilor Weldon explained to the band members present in the assembly that a small community such as the City of Neptune Beach had limited resources and could not make donations to every valuable organization.

Mayor Brown stated he would support a \$1,500 donation.

Councilor Lee explained that he received a personal request to contribute \$1,000. He added if the city donated \$2,000 he would personally donate \$1,000 bringing the total donation to \$3,000.

Revised Motion: **TO APPROVE A \$2,000 DONATION TO SUPPORT THE FLETCHER HIGH SCHOOL BAND.**

Roll Call Vote:

Ayes: 5 – Lee, Pardee, Pruetto, Weldon, Brown

Noes: 0

MOTION CARRIED

APPROVAL OF MINUTES

Moved by Pruetto, seconded by Lee.

Motion: **TO APPROVE THE FOLLOWING MINUTES:**

JANUARY 7, 2008, REGULAR CITY COUNCIL MEETING
JANUARY 28, 2008, SPECIAL CITY COUNCIL MEETING
JANUARY 28, 2008, WORKSHOP CITY COUNCIL MEETING

Roll Call Vote:

Ayes: 5 – Lee, Pardee, Pruetto, Weldon, Brown

Noes: 0

MOTION CARRIED

COMMUNICATIONS AND CORRESPONDENCE

Vice Mayor Pruetto stated she would like to write a letter thanking Budweiser for bringing the Clydesdale horses to Town Center and invite them to come back in the future.

Councilor Lee reminded council to attend the dedication of the Neptune Beach Elementary School playground.

City Clerk Volpe reminded Council the February workshop meeting would be held on February 25, 2008 due to Presidents' Day.

CITY MANAGER REPORT

City Manager Jarboe stated he spoke with Barbara Jackson, Chairperson of the Ish Brant Beautification Committee, regarding some interest in a community vegetable garden.

The Finance Department was in the process of finishing the audit.

Community Development was working on the EAR report. He added, with the combined experience of the Community Development Director and the Building Official, the city would be saving money by not having to hire an outside consultant.

COMMENTS FROM THE PUBLIC

Lynda Padrta, 1113 First Street, spoke in favor of Ordinance No. 2008-03 and the donation for the "HOPE" Van.

CONSENT AGENDA

INTERLOCAL AGREEMENT BETWEEN THE CITY OF JACKSONVILLE BEACH, FLORIDA AND THE CITY OF NEPTUNE BEACH, FLORIDA: Relating to the provision of potable water supply connection, sewage collection connection, and water metering services for the five residential properties in Neptune Beach at the westerly end of Seagate Avenue west of Kings Road.

Moved by Pruette, seconded by Weldon.

Motion: **TO APPROVE THE CONSENT AGENDA.**

Roll Call Vote:

Ayes: 5 – Lee, Pardee, Pruette, Weldon, Brown

Noes: 0

MOTION CARRIED

VARIANCES / NONE

ORDINANCES

Ord. No. 2007-20

ORDINANCE NO. 2007-20, ACCESSORY AND TEMPORARY STRUCTURES, SECOND READ AND PUBLIC HEARING: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING THE EXISTING 27 UNIFIED LAND DEVELOPMENT REGULATIONS ARTICLE V. ACCESSORY STRUCTURES AND USES SECTION 27-331 TEMPORARY STRUCTURES AND PROVIDING AN EFFECTIVE DATE.

City Manager Jarboe explained this Ordinance allowed the City Manager to extend the time period for temporary storage units up to 45 days, if more than five days are necessary.

Mayor Brown read Ordinance No. 2007-20 by title only and opened the public hearing.

There being no comments from the public, the public hearing was closed.

Moved by Weldon, seconded by Pruette.

Motion: **TO ADOPT ORDINANCE NO. 2007-20 ON SECOND READ AND PUBLIC HEARING.**

Roll Call Vote:

Ayes: 5 – Lee, Pardee, Pruette, Weldon, Brown

Noes: 0

MOTION CARRIED

Ord. No. 2007-21

ORDINANCE NO. 2007-21, AMENDING CHAPTER 27, SECOND READ AND PUBLIC HEARING: AN ORDINANCE OF THE CITY NEPTUNE BEACH, FLORIDA AMENDING THE EXISTING CHAPTER 27, TABLE 27-229-1 AND PROVIDING AN EFFECTIVE DATE.

Mayor Brown read Ordinance No. 2007-21 by title only and opened the public hearing.

There being no comments from the public, the public hearing was closed.

Moved by Pruette, seconded by Weldon.

Motion: **TO ADOPT ORDINANCE NO. 2007-21 ON SECOND READ AND PUBLIC HEARING.**

Mayor Brown explained this Ordinance clarified that the 60,000 square feet limit did not apply to entire shopping centers; it only applied to individual stores. Council discussed the ordinance.

Roll Call Vote:

Ayes: 4 – Lee, Pruette, Weldon, Brown

Noes: 1 – Pardee

MOTION CARRIED

Ord. No. 2008-02

ORDINANCE NO. 2008-02, AMENDING CHAPTER 2, ADMINISTRATIONS, ARTICLE VII BOARDS AND COMMISSIONS, FIRST READ: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 2, ADMINISTRATIONS, ARTICLE VII BOARDS AND COMMISSIONS, ADDING SECTION 2-412 PRESIDING OFFICER OF A BOARD OR COMMISSION AND PROVIDING AN EFFECTIVE DATE.

Moved by Lee, seconded by Pardee.

Motion: **TO PASS ORDINANCE NO. 2008-02 OF FIRST READ.**

Roll Call Vote:

Ayes: 5 – Lee, Pardee, Pruette, Weldon, Brown

Noes: 0

MOTION CARRIED

Ord. No. 2008-03

ORDINANCE NO. 2008-03, AMENDING CHAPTER 11, GARBAGE, TRASH AND INDUSTRIAL WASTE, FIRST READ: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 11, GARBAGE, TRASH AND INDUSTRIAL WASTE, ARTICLE II GARBAGE AND TRASH, DIVISION 4 COLLECTION AND DISPOSAL SECTION 11-84 SAME- BAGGING; CUTTING TREES AND TREE LIMBS REQUIRED AND PROVIDING AN EFFECTIVE DATE.

City Manager Jarboe explained this Ordinance would subject landscapers and property owners to a \$50.00 fine for blowing or sweeping yard waste into the storm water sewer system.

Moved by Pardee, seconded by Lee.

Motion: **TO PASS ORDINANCE NO. 2008-03 ON FIRST READ.**

Roll Call Vote:

Ayes: 5 – Lee, Pardee, Pruette, Weldon, Brown

Noes: 0

MOTION CARRIED

OLD BUSINESS

School Facility
Planning

INTERLOCAL AGREEMENT FOR PUBLIC SCHOOL FACILITY PLANNING: Approval of Interlocal Agreement for Public School Facility Planning.

City Manager Jarboe stated this was a requirement of the Florida Department of Community Affairs.

Moved by Pruette, seconded by Lee.

Motion: **TO APPROVE THE AMENDED INTERLOCAL AGREEMENT FOR PUBLIC SCHOOL FACILITY PLANNING.**

Roll Call Vote:

Ayes: 5 – Lee, Pardee, Pruette, Weldon, Brown

Noes: 0

MOTION CARRIED

“HOPE” Van

THE SULZBACHER CENTER – “HOPE” VAN: Approval of request for donation of \$5,000 to help purchase a van for the “HOPE” Outreach Program for the Beaches.

Moved by Weldon, seconded by Lee.

Motion: **TO APPROVE THE \$5,000 DONATION FOR THE “HOPE” VAN FOR THE OUTREACH PROGRAM FOR THE BEACHES.**

Councilor Pardee questioned if the “HOPE” van would reduce the number of homeless people. Mr. Cochran, Sulzbacher Center, stated he was confident the van would make a difference by making connections with homeless people to bring them medical care and shelter services. Once they were connected with the Sulzbacher Center a case manager would work for as long as it took to get them into stable housing. He added once the program was in place at the beaches and the numbers were established he would be happy to report back to the Council.

Roll Call Vote:

Ayes: 4 – Lee, Pruette, Weldon, Brown

Noes: 1 – Pardee

MOTION CARRIED

NEW BUSINESS

Res. No. 2008-01

RESOLUTION NO. 2008-01: A RESOLUTION REAPPOINTING MEMBERS TO THE PLANNING AND DEVELOPMENT REVIEW BOARD AND THE BOARD OF APPEALS.

City Clerk Volpe stated these appointments would fill the positions on the Board of Appeals and the Planning & Development Review Board for both regular and alternate members. The Code Enforcement Board still needed two alternate members.

Amy Cole and Keith Ann Pechonick introduced themselves to the Council and explained their qualifications.

Councilor Lee questioned Brian MacDonald’s attendance record as an alternate member and if he would be available to serve as a regular member. City Clerk Volpe explained he indicated to her over the telephone that he would be willing to serve as a regular member.

Moved by Weldon, seconded by Pruette.

Motion: **TO APPROVE RESOLUTION NO. 2008-01 WITHOUT BRIAN MACDONALD’S APPOINTMENT AND ASK MR. MACDONALD TO ATTEND THE NEXT COUNCIL MEETING FOR CLARIFICATION BEFORE APPOINTING HIM.**

Roll Call Vote:

Ayes: 5 – Lee, Pardee, Pruette, Weldon, Brown

Noes: 0

MOTION CARRIED

PDRB08-01 PDRB08-01, ART PROJECT FOR 1501 ATLANTIC BOULEVARD: The Planning & Development Review Board recommended approval of the mural of the art project at 1501 Atlantic Boulevard with the condition that any new owner would need to reapply.

Moved by Pruette, seconded by Pardee.

Motion: **TO APPROVE PDRB08-01, ART PROJECT FOR 1501 ATLANTIC BOULEVARD WITH THE CONDITION THAT ANY NEW OWNER WOULD NEED TO REAPPLY.**

Councilor Weldon stated he would be voting "no" on the art project because he felt the mural was a commercial sign.

Roll Call Vote:

Ayes: 4 – Lee, Pardee, Pruette, Brown

Noes: 1 – Weldon

MOTION CARRIED

PDRB08-02 PDRB08-02, SPECIAL EXCEPTION FOR 1935 ATLANTIC BOULEVARD: A special exception application for a cabinet shop has been submitted by Florida Cabinet Distributors, for the property located at 1935 Atlantic Boulevard. The special exception was recommended for approval by the Planning & Development Review Board.

Moved by Pruette, seconded by Pardee.

Motion: **TO APPROVE PDRB08-02, SPECIAL EXCEPTION TO OPERATE A CABINET SHOP FOR 1935 ATLANTIC BOULEVARD.**

Mr. Mike Hesford, Vice President, Florida Cabinet Distributors, 1935 Atlantic Boulevard, explained there would be a retail showroom for modular cabinets along with a shop and equipment to modify the cabinets. There would be no chemicals or solvents on site. They have a dust collection system inside the building and may occasionally do some sanding.

Councilor Weldon clarified the special exception would be approved on the basis that no painting, staining, or use of solvents would be permitted in the building.

Roll Call Vote:

Ayes: 5 – Lee, Pardee, Pruette, Weldon, Brown

Noes: 0

MOTION CARRIED

Surplus SURPLUS VEHICLE, 1997 CHEVROLET 2500 PICK UP, PUBLIC SAFETY DEPARTMENT

Moved by Pardee, seconded by Lee.

Motion: **TO APPROVE THE SURPLUS OF 1997 CHEVROLET 2500 PICK UP FROM THE PULBIC SAFETY DEPARTMENT.**

Roll Call Vote:

Ayes: 5 – Lee, Pardee, Pruette, Weldon, Brown

Noes: 0

MOTION CARRIED

Res. No. 2008-02 RESOLUTION NO. 2008-02: A RESOLUTION OF THE CITY OF NEPTUNE BEACH, FLORIDA STATING ITS DESIRE TO HAVE A SAFE WALKABLE COMMUNITY BY IMPROVING SAFETY FOR PEDESTRIANS ON THIRD STREET.

Councilor Pruette suggested amending the title of the Resolution and number four to include Atlantic Boulevard as well as Third Street as follows:

A RESOLUTION OF THE CITY OF NEPTUNE BEACH, FLORIDA STATING ITS DESIRE TO HAVE A SAFE WALKABLE COMMUNITY BY IMPROVING SAFETY FOR PEDESTRAINS ON THIRD STREET AND ATLANTIC BOULEVARD.

4. To encourage the Florida Department of Transportation to take an active role in providing a safe pedestrian environment on Third Street and Atlantic Boulevard.

Discussion ensued regarding pedestrian safety.

Moved by Pruette, seconded by Lee.

Motion: **TO APPROVE RESOLUTION NO. 2008-02 WITH THE ADDITION OF ATLANTIC BLVD.**

Roll Call Vote:

Ayes: 5 – Lee, Pardee, Pruette, Weldon, Brown

Noes: 0

MOTION CARRIED

Councilor Weldon stated the City of Atlantic Beach was debating where to locate the statute of the little girl on the sea turtle. He would like to encourage Atlantic Beach to place the statue in Town Center.

Adjournment

There being no further business, the meeting adjourned at 7:40 p.m.

Richard A. Brown, Mayor

ATTEST:

Lisa Volpe, CMC, City Clerk

Approved: _____